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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,361	12/12/2003	Artur Dlugosz	02-022.13	1805

35374 7590 05/05/2006

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EXAMINER

BENENSON, BORIS

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/735,361	Applicant(s) DLUGOSZ ET AL.	
	Examiner Boris Benenson	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-18 is/are allowed.
- 6) ☐ Claim(s) 6 and 10 is/are rejected.
- 7) ☐ Claim(s) 7-9 and 11-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/18/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Actions

1. Preliminary amendment received on 5/19/2005 is entered.
 - a. Substitute Specification is entered.
 - b. Claims 1-5 are cancelled.
 - c. Claims 6-18 are entered.
 - d. Claims 6-19 are pending in the Application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishida et al. (5,394,288). Nishida et al. disclose an Actuator comprising a positive temperature coefficient circuit protector (Fig.5, Pos. 20) which includes two positive temperature coefficient resistors (Pos.R_{TN1} and R_{TN2}) having a predetermine temperature threshold and two diodes (D1 and D2). The positive temperature coefficient circuit protector is connected in series with DC circuit (11). The positive

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temperature coefficient circuit protector allows current flow in a first direction and in opposite direction when the positive temperature coefficient circuit protector is below the temperature threshold. When current flowing in one direction (for instance in direction A) exceeds a threshold value, resistance of R_{TN1} drastically increases and, in result, the current flow in direction A will be blocked, but the current flow in opposite direction (direction B) will be allowed (through D2 and R_{TN2}).

Allowable Subject Matter

3. Claims 15-18 allowed.

4. Claim 7-9 and 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

5. Independent Claim 15 is allowable because none of the prior art of record disclose an anti-pinch and electrical motor

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protection circuit comprising a first and a second positive temperature coefficient protectors having a first and a second predetermined temperature thresholds and a diode in parallel with the first positive temperature coefficient protector in combination with the other claim limitations.

6. Claims 7 and 11 would be allowable because none of the prior art of record disclose an anti-pinch and electrical motor protection circuit comprising a first and a second positive temperature coefficient protectors having a first and a second predetermined temperature thresholds and a diode in parallel with the first positive temperature coefficient protector in combination with the other claim limitations.

7. Claims 8-9 and 12-14 would be allowable because they are dependent on would be allowable claims

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (571) 272-2048. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be


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reached on (571) 272-2800 ext 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Boris Benenson
Examiner
Art Unit 2836

B.B.



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2836